

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

1201 NORTH MARKET STREET
P.O. BOX 1347
WILMINGTON, DELAWARE 19899-1347

—
(302) 658-9200
(302) 658-3989 FAX

KAREN JACOBS
(302) 351-9227
(302) 425-4681 FAX
kjacobs@mnat.com

February 14, 2020

BY-E-FILE

The Honorable Colm F. Connolly
United States District Court
for the District of Delaware
J. Caleb Boggs Federal Building
844 N. King Street
Wilmington, DE 19801-3555

Re: De La Vega v. Facebook, Inc., C.A. No. 19-1555 (CFC) (D. Del.)

Dear Judge Connolly:

I write on behalf of Defendant Facebook, Inc. ("Facebook") to notify the Court of subsequent authority pursuant to D. Del. LR 7.1.2(b), relevant to Defendant Facebook, Inc.'s Motion to Dismiss Pursuant to Federal Rule of Procedure 12(b)(6) (D.I. 7, 8). On February 11, 2020, the District Court for the Western District of Texas entered an order dismissing with prejudice Mr. De La Vega's complaints against Microsoft Corporation and Google LLC, asserting the same patent as is asserted against Facebook. (Ex. A hereto). Judge Albright's opinion addresses the same issues as those pending before this Court.

Respectfully submitted,

/s/ Karen Jacobs

Karen Jacobs (#2881)

Attachment

cc: Clerk of the Court
All Counsel of Record